

# Westfield Township Board of Trustees

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Regular Meeting -

January 20, 2014

Likley calls the meeting to order. Roll Call: Thombs-aye, Likley-aye, Schmidt-aye

Attending: Ray Ruprecht- Emergency Interim Deputy Fiscal Officer, Attorney Schrader- Trustee Legal Council, Cheryl Porter- meeting secretary

Likley conveys Ruprecht has full fiscal responsibility, access to UAN system, banking so we can do business as usual.

Ruprecht- Fiscal Report: \$9517.08 and payroll of \$3364.46 and Martha Evens left everything in order.

***Schmidt made a motion to pay the bills as submitted; seconded by Thombs. Roll call: Thombs-aye, Schmidt-aye, Likley-aye. The motion passes.***

Ruprecht provides resolutions to be signed from the 1-9-14 meeting including resolutions 1, 2, 3, 5, 6. Trustees will sign at the end of the meeting.

Ruprecht announces the appropriation for zoning and legal counsel with appropriation budget of \$10,000 for his services. Ruprecht's pay will be kept under the fiscal officer's allocated funds.

Likley introduces Mr. Schrader who has been retained as of January 10, 2014 as legal counsel for the township. Minutes for December 27, 2013 have not yet been prepared.

***Likley makes a motion to approve December 30, 2013 Records Commission Minutes; seconded by Schmidt. Roll call: Schmidt-aye, Thombs-aye, Likley-aye. The motion passes.***

Likley makes a motion to approve January 9, 2014 meeting minutes with corrections; seconded by Thombs. Roll call: Thombs-aye, Schmidt-aye, Likley-aye. The motion passes.

***Thombs makes a motion to accept the January 10, 2014 minutes as submitted; seconded by Schmidt. Roll call: Schmidt-aye, Thombs-aye, Likley-aye. The motion passes.***

Roads Report: Thombs addresses the report received from the Ohio Department of Highways and the report from the Cloverleaf Schools regarding the snow removal agreement and their thanks to Lee Evans for his cooperation. Thombs stated that he and Road Supervisor Evans will coordinate to certify that the Medina County Highway Engineer's Report 21.745 miles of roads that are taken care of by the township and that the width and mileage of roads have not changed. Confirmation is due by February 28, 2014.

Likley briefly discusses road projects that Lee initiated in the fall to the County Engineers for the forced account limits that are projected estimates proposed by the county engineers.

Zoning Reports: Schmidt proposes to continue zoning meetings in February and to go ahead with the Solar Energy Training which is confirmed by Sturdevant. Sims and Schmidt are meeting with Asst. Prosecutor Tom Karris this coming Thursday regarding pending zoning issues. Schmidt asked Whitmere to come with us but he declined.

Schmidt asked Porter if the zoning book was being updated and she replied not at this time due to the stopping of all zoning meetings. Sturdevant said that Martha Evens said some updates were made and she would sit with Porter to make changes.

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Likley talks about the signature page being critical in the Zoning Resolution book and Sturdevant and Porter are to move forward with updating the book. Last update was 2010 and we are 3-4 amendments behind. The following will be updated: Walk in Clinics- 2012, Swimming Pools- 2012, Wind Energy- 2012, and Highway/Commercial Language- 2013.

Sims announced the anticipation of accepting a site plan review for Greenwich Storage Unit. She will also handle some outstanding issues with the property and discuss with the property owner some options. BZA will be contacted if a variance is needed after the application is complete.

Likley prepared packets for new board members and employee handbooks regarding their pay and money into social security. Likley requests that Ray provides this information (I-9 and W-4 forms) to these new employees and to gather any new information that they may need.

Schmidt asks about W-4's filled out annually for board members. Ray says this doesn't have to be done if there are no new changes from the employees.

### Old Business:

- Public Hearing for Outdoor Wood Fired Burners -Likley prepared the legal notice for this public hearing on Monday, February 10, 2014 at 7:00 pm (later changed to February 3, 2014).
- Cell Tower Proposal- Likley will provide the trustees with this information and his conversation with Thorne. American Tower has some say since it is an existing tower.
- SPCA- Invoice Communication on 10-13-13. SPCA submitted an invoice to the township for cat management and services rendered; 2014 fee is \$540.00 for projected services. In the past it was \$300.00.

Greg Brezina, 6610 Buffham Road asked how the SPCA determined this cost and is the township obligated to pay.

Likley says it is an average from past history and the township is responsible for removal if the township doesn't pay. Township has received a letter from the SPCA to cancel services due to nonpayment at this time.

***Thombs makes a motion to pay \$540.00 to the SPCA to continue services; seconded by Schmidt. Roll call: Schmidt-aye, Thombs-aye, Likley-aye. The motion passes.***

### New Business:

- ***Thombs makes a motion to have a special meeting on February 3, 2014 to interview for the Fiscal Officer position; seconded by Schmidt. Roll call: Thombs-aye, Schmidt-aye, Likley-aye. The motion passes.***
- Website Information- Likley updated roster of board members; text updates for roads and zoning amendments; meeting minutes forwarded to the Webmaster.
- Memorial Day Parade: Thombs talked with chair Nancy Powell and she requested a township minister or any other input for this parade.
- Mr. Schrader-
  - 1.) 2013 Ohio Sunshine Law update is provided to trustees and a copy provided to Ray for the new fiscal officer.
  - 2.) Appointing a fiscal officer to finish out the existing term and they would then run on the November 2015 election.

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Likley opens the meeting for public comments.

Kathleen LeMar, 9220 Friendship Road, questions the amount per hour Mr. Schrader will receive and what fund does this \$10,000 come from? Likley responds it is \$150.00 per hour and the \$10,000 is from the general fund. LeMar asks about Mr. Schrader's duties and responsibilities. Likley responds it is the Kratzer litigation and to assist in any other issues or concerns which might come before the board. Mr. Schrader isn't on retainer because he is not the sole legal counsel for the township. January 10, 2014 a resolution was made to hire Mr. Schrader. Mrs. LeMar asks for the names of people who have applied for the fiscal officer position and asks each trustee to express what qualifications they wish to see. Their responses included: accounting, past experience, resident, dedicating time, committed, registered voter, 18 years old, trustworthy, computer skills, not afraid of numbers, comfortable with math, etc. Schmidt also mentioned the ORC requirements for the fiscal officer.

Sims would like to request that the Zoning Secretary and Zoning Inspector be bonded for the collection of any monies. There might be an existing bond for the previous zoning inspectors. Ray will check with the bond company regarding this request.

Greg Brezina, 6610 Buffham Road asks the board to clarify the qualifications of the new zoning board members appointed and the lack of discussion regarding Doty since he didn't have prior board experience. Thombs mentioned Doty's legal input and the other trustees have worked with and have known Joe for many years. Schmidt served with him on Cloverleaf's Board of Education and Likley talked with him around Christmas. No formal interview because of the time restraints. Brezina mentioned his disappointment that the board members were not thanked for their time and participation. Likley apologized for their over-site and commented their time and commitment was valued. Schmidt also mentioned he personally sent each member an email thanking them for their service.

Sturdevent, 5864 Buffham Road, would like clarification that the fiscal officer will also be the officer for the Fire District. Likley acknowledges that it will be the same person under the ORC and the records' request will be filled by him. Sturdevent would like the audios to be kept for more than 6 months which is the township's current policy. Likley would like to extend this policy to one year. Sturdevent request that an updated list of employees be sent to all of the new zoning board members. Likley would like the Solar Panel Training and Zoning Commission organizational meeting be held on the same date to save the township money. Sturdevent made a request that Ray look into the reimbursement of OPERS to the board members. Martha Evans mentioned that the township would be given one check from the state and then the fiscal officer would cut checks to the individual members. Sturdevent asks about the 30 day deadline that was missed by the trustees for the Outdoor Wood Fired Burners due to inclement weather. January 9<sup>th</sup> was when they were notified of the resolution; February 3, 2014 the agenda will include public hearing for the OWFB and then table to the future date of February 10, 2014. Legal notification will be done by Likley to be placed in the paper no later than January 24, 2014.

Sturdevent discusses the Access Management Resolution is being sent back to the zoning commission by the trustees but Mr. Thorne feels it should not be sent back to ZC because it would just become a revote. The trustees approved to leave the language as a single driveway per parcel. No new zoning change at this time. The Highway/Commercial definitions and some of the language were approved but the expansion of the permitted and conditional language was not approved. Sturdevent asked for clarification of the modified version that will be given so the zoning book can be updated with a

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signature page from the trustees. Likley also tells Sturdevent that the keys to the fiscal office have been changed and the service was the same locksmith whose name was stamped on the previous keys.

Sturdevent asks for clarification of the zoning board appointments qualifications. Likley says that Zweifel's previous participation and commitment to the board warranted her to come back to the board. Sturdevent stated that there was no discussion at the meeting regarding why certain members were appointed to the two boards. Sturdevent would like clarification regarding the zoning inspector not being reappointed. Likley states a qualified person was appointed and a change was needed. Thombs added that zoning issues were not handled in a timely manner. Sturdevent believes that the slow process was with the prosecutors' office or with the previous trustees.

Thombs provides Sturdevent the trustees' approvals on the Highway/ Commercial language.

Likley notifies everyone of the February 3, 2014 Special Meeting with Executive Session at 5:00 pm, Fire District Meeting at 6:30 pm and Trustees Regular Meeting and Public Hearing for OWFB at 7:00 pm.

**Likley makes a motion to go into Executive Session to discuss pending litigation with Schrader; seconded by Thombs. Roll call: Thombs-aye, Schmidt-aye, Likley-aye. The motion passes.**

Likley mentions that no decisions will be made after executive session.

8:38 pm the trustees go to Executive Session.

9:05 pm the trustees return from Executive Session. **Likley makes a motion to come out of Executive Session; seconded by Schmidt. Roll call: Schmidt-aye, Thombs-aye, Likley-aye. The motion passes.** No discussions or decisions at this time.

**9:06 pm Thombs makes a motion to adjourn; seconded by Schmidt. Roll call: Thombs-aye, Schmidt-aye, Likley-aye. The motion passes.**

Respectfully Submitted by

Cheryl Porter, Zoning Secretary

  
Trustee James Likley, Chairman

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Date

  
Trustee William Thombs

2/3/14  
Date

  
Trustee Michael Schmidt

\_\_\_\_\_  
Date